IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWELTH DAY OF AUGUST
TWO THOUSAND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 14312 of 1994

Between:

1 Bellam Anjaneyulu s/o. Anjinappa
R/o. Harianacheruvu h/o. Nyamaddala , Chennekothapalli (M)
Anantapur District.
2 Belugonda Nadipi Naganna S/o. Chinna Varadappa
R/o. Harianacheruvu h/o. Nyamaddala , Chennekothapalli (M)
Anantapur District.
3 Bulugonda Narayanappa S/o. Bayappa
R/o. Harianacheruvu h/o. Nyamaddala , Chennekothapalli (M)
Anantapur District.
4 Butra Narayanappa S/o. Bayappa
R/o. Harianacheruvu h/o. Nyamaddala , Chennekothapalli (M)
Anantapur District.
5 Balugonda Anjineyulu S/o. Bodappa
R/o. Harianacheruvu h/o. Nyamaddala , Chennekothapalli (M)
Anantapur District.
6 Balugedu Chinna Naganna S/o. Chinna Varadappa
R/o. Harianacheruvu h/o. Nyamaddala , Chennekothapalli (M)
Anantapur District.
7 Midde Naganna s/o. Nagappa
R/o. Harianacheruvu h/o. Nyamaddala , Chennekothapalli (M)
Anantapur District.
8 Talari Pothappa S/o. Yerrappa
R/o. Harianacheruvu h/o. Nyamaddala , Chennekothapalli (M)
Anantapur District.
9 Kotha Nadipi Bayanna
R/o. Harianacheruvu h/o. Nyamaddala , Chennekothapalli (M)
Anantapur District.
10 Chitra Anjaneyulu S/o. Muthyalappa
R/o. Harianacheruvu h/o. Nyamaddala , Chennekothapalli (M)
Anantapur District.
11 Bellam Ramachandrappa s/o. Bellam Pedda Anajneyulu
R/o. Harianacheruvu h/o. Nyamaddala , Chennekothapalli (M)

Anantapur District.

12 Kotha Bayanna s/o. Bayanna
R/o. Harianacheruvu h/o. Nyamaddala , Chennekothapalli (M)
Anantapur District.

13 Chinna Pothappa S/o. Chinna Varadappa
R/o. Harianacheruvu h/o. Nyamaddala , Chennekothapalli (M)
Anantapur District.

14 Talari Anjineyulu s/o. Muthyalappa
R/o. Harianacheruvu h/o. Nyamaddala , Chennekothapalli (M)
Anantapur District.

15 Kanchi Kunta Obulesu s/o. Narayanappa
R/o. Harianacheruvu h/o. Nyamaddala , Chennekothapalli (M)
Anantapur District.

16 Kotha Anjineyulu S/o. Bayappa
R/o. Harianacheruvu h/o. Nyamaddala , Chennekothapalli (M)
Anantapur District.

17 Balugonda Naganna S/o. Busanagappa
R/o. Harianacheruvu h/o. Nyamaddala , Chennekothapalli (M)
Anantapur District.

18 Bellam Nadipi Anjineyulu s/o. Bellam Anjinappa
R/o. Harianacheruvu h/o. Nyamaddala , Chennekothapalli (M)
Anantapur District.

19 Gantimarri Papanna S/o. Chinna Papanna
R/o. Harianacheruvu h/o. Nyamaddala , Chennekothapalli (M)
Anantapur District.

20 Busa Nagappa S/o. Narayanappa
R/o. Harianacheruvu h/o. Nyamaddala , Chennekothapalli (M)
Anantapur District.

21 Balugonda Narayanappa S/o. Chinna Varadappa
R/o. Harianacheruvu h/o. Nyamaddala , Chennekothapalli (M)
Anantapur District.

22 Yajja Narayana s/o.Pallappa
R/o. Harianacheruvu h/o. Nyamaddala , Chennekothapalli (M)
Anantapur District.

23 Balugonda Chinna Varadappa s/o. Chinna Pothappa
R/o. Harianacheruvu h/o. Nyamaddala , Chennekothapalli (M)
Anantapur District.

24 Balugonda Chinna Anjaneyulu s/o. Chinna Pothanna
R/o. Harianacheruvu h/o. Nyamaddala , Chennekothapalli (M)
Anantapur District.

25 Balagonda Anjineyulu S/o. Chinna Pothappa
R/o. Harianacheruvu h/o. Nyamaddala , Chennekothapalli (M)
Anantapur District.

26 Pala Bhavi Konappa s/o. Ramappa
R/o. Harianacheruvu h/o. Nyamaddala , Chennekothapalli (M)
Anantapur District.

27 Balugonda Nagappa s/o. Narayanappa
R/o. Harianacheruvu h/o. Nyamaddala , Chennekothapalli (M)
Anantapur District.

28 Kotha Ramanjaneyulu S/o. Nadipi Anjaneyulu
R/o. Harianacheruvu h/o. Nyamaddala , Chennekothapalli (M)
Anantapur District.

..... PETITIONERS

AND

1 Joint Collector Anantapur.
2 Revenue Divisional Officer, Dharmavaram, Anantapur District.
3 Mandal Revenue Officer Chennekothapalli Mandal, Chennakothapalli, Anantapur dist.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of certiorari or any other appropriate writ or direction calling for the records relating to the order of the 1st respondent passed in RC.A8/2853/93 dated 27.6.1994 confirming the order of the 2nd respondent passed in Dis (G) 2670/92 dated 22.1.1993 and quash the same and pass such or other orders.

Counsel for the Petitioner:MR.O.MANOHAR REDDY

Counsel for the Respondents.: GP FOR REVENUE

The Court made the following :

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O R D E R:

This writ petition is filed in the nature of Certiorari calling for the records relating to the order passed by the 1st respondent in R.C.No.A8/2853/93, dated 27.06.1994 confirming the order of the 2nd respondent passed in Dis. No.(G) 2670, dated 22.01.1993 and to quash the same.

The facts of the case in brief are that the petitioners herein are residents of Harayana Cheruvu, Hamlet of Nyammandla, Chennekothapalli Mandal, Anantapur District. For the last 70 years the forefathers of the petitioners and thereafter, the petitioners are using small extents of land in S.No.108 of Haryamacheruvu Village to store the agricultural produce. As the matter stood thus, the 3rd respondent issued notices to the petitioners under Section 6 of the Land Encroachment Act. Aggrieved by the same, the petitioners filed an appeal before the Revenue Divisional Officer, but the same was dismissed without giving an opportunity of hearing to the petitioners. Against the said order of the Revenue Divisional Officer, the petitioners preferred a revision before the 3rd respondent and the same was also dismissed on the ground that the occupation of the Government land does not give any right to the petitioners. Hence, this writ petition is filed.

The learned Government Pleader for Revenue appearing on behalf of the respondents submits that as both the Courts below concurrently found that the petitioners are encroachers and the lands were already allotted to various eligible persons, this Court cannot go into the entire aspect of the matter.

In view of the above submission made by the learned Government Pleader, I do not find any merit in the writ petition.

The writ petition is accordingly dismissed. No costs.

12.08.2004

tjs

Sd/- P.EKAMBARAM

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1.The Joint Collector, Anantapur

2. Revenue Divisional Officer, Dharmavaram, Anantapur District

3. Mandal Revenue Officer, Chennekothapalli Mandal, Anantapur District

2.2CD copies

DT: 12-8-2004

ORDER

W.P.NO. 14312 OF 1994

DISMISING THE W.P. WITHOUT COSTS.